THE HON'BLE SRI JUSTICE C.V. RAMULU

Monday, the 4th day of June,2007

W.P.No.25397 of 2006

Between:-

S. Veera Swamy … Petitioner

and

The Principal secretary to the
Government, Labour, Employment Training
and Factories (Lab-I) Department,
Secretariat, Hyderabad,
and others … Respondents

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.25397 of 2006

ORAL ORDER:

The issue that arises for consideration in this Writ Petition is no more *res integra* and is squarely covered by the Judgment dated 4-4-2005 passed in W.P.No.17916 of 2004. In fact, while deciding Writ Petition No.17916 of 2004, this Court had taken note of the Judgment rendered by the Supreme Court in **BIDYADHAR MOHAPATRA AND OTHERS v. DISTRICT LABOUR OFFICER-CUM-CONCILIATION OFFICER, ROURKELA AND OTHERS** {1987(1) LLJ 209}. In the present case also, the request of the petitioner to refer the dispute to the Labour Court was rejected only on the ground of delay, which is unsustainable.

Following the said Judgments, the Writ Petition is allowed and the impugned Order is set aside. Respondent No.1 is directed to refer the dispute to the concerned Labour Court for adjudication. No order as to costs.

04-5-2007

prk